

**Remarks**

Applicants respectfully request that the Examiner reconsider the present application in light of the above amendments and following remarks. The specification and claims 1, 13 and 14 have been amended. Claims 2, 3 and 19-29 have been cancelled. Claims 30-44 have been added. Therefore, claims 1, 4-18 and 30-44 are pending in the present application.

The specification has been amended to correct two minor informalities that are not related to the patentability of the present invention. Applicants request that these amendments be entered.

Claim 14 has been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enabling requirement. Claim 14 has been amended to state that at least two knobs are attached to the internal surface of the door for retaining a bungee cord. Therefore, Applicants request that the rejection of claim 14 be withdrawn.

Claims 1, 3 and 13 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The preamble of claim 1 has been amended to recite a wall. Claim 3 has been cancelled. Claim 13 has been amended to state that the safe has three walls. Applicants request that the rejection of these claims be withdrawn.

Claims 1-3 and 9-11 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,371,433 to Davis ("the Davis reference"). Claims 2 and 3 have been cancelled, therefore the rejection of these claims is moot. Based

on the above amendments, Applicants respectfully traverse the rejection of the remaining claims.

Amended claim 1 is directed to a configurable safe for storing firearms including a wall. The safe comprises a bracket adapted to be positioned on an interior surface of the wall, wherein a groove is formed between the bracket and the wall. The safe also includes at least one barrel receiving module having at least one barrel receiving cradle for receiving a barrel of a gun. The at least one barrel receiving module including a rear wall and a clip extending generally parallel to the rear wall for movably mounting the barrel receiving module to the bracket. The clip is configured to be positioned in the groove and against the wall.

The Davis reference does not teach or suggest a safe including at least one barrel receiving module having a clip configured to be positioned in a groove and against the wall as recited in amended claim 1. In rejecting claim 1, the Examiner stated that the barrel receiving module (2) includes a pair of clips (D'), wherein the clips (D') are positioned in a pair of grooves (6). See *Office Action*, pgs. 3-4. However, neither of the clips (D') are positioned against the wall (A') as recited in claim 1. Instead, the barrel receiving module (2) is held in position using a C-shaped bracket (4) whose ends are positioned in each of the grooves (6), and a metal spring (9) that forces each of the clips (D') away from each other and into engagement with the C-shaped bracket (4). See *Davis*, FIG. 3.

Since the Davis reference fails to teach all of the limitations included in amended claim 1, Applicants request that the rejection of claim 1 be withdrawn. As claims 9-11 depend either directly or indirectly from claim 1, these claims are also

not taught or suggested by the Davis reference for at least the same reason set forth with respect to claim 1. Applicants request that the rejection of claims 9-11 be withdrawn.

Claims 1, 2, 17 and 18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,687,856 to Kendrena ("the Kendrena reference"). Claim 2 has been cancelled, therefore the rejection of this claim is moot. Based on the above amendments, Applicants respectfully traverse the rejection of the remaining claims.

The Kendrena reference does not teach or suggest a safe including at least one barrel receiving module having a rear wall and a clip extending generally parallel to the rear wall as recited in amended claim 1. As best seen in FIG. 6C of the Kendrena reference, both the clip (30) and the secondary clip (33) extend at an angle relative to the rear wall of the module (60). Neither the clip (30) nor the secondary clip (33) extend generally parallel to the rear wall of module (60) as recited in claim 1.

For at least this reason, Applicants submit that the Kendrena reference fails to teach all of the limitations included in amended claim 1. As such, Applicants request that the rejection of claim 1 be withdrawn. As claims 17 and 18 depend from claim 1, these claims are also not taught or suggested by the Kendrena reference for at least the same reason set forth with respect to claim 1. Applicants request that the rejection of claims 17 and 18 be withdrawn.

Claims 1, 2, 4 and 6-8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,783,896 to Agostini et al. ("the Agostini reference").

Claim 2 has been cancelled, therefore the rejection of this claim is moot. Based on the above amendments, Applicants respectfully traverse the rejection of the remaining claims.

The Agostini reference does not teach or suggest a safe including at least one barrel receiving module having a rear wall and a clip extending generally parallel to the rear wall as recited in amended claim 1. As best seen in FIGS. 1 and 3 of the Agostini reference, a gun rest (68) is connected to an upstanding member (48) using a support rod (66). Specifically, the support rod (66) is positioned within a bore (78) formed in a boss (76) of the gun rest (68). The bore (76), identified as the clip by the Examiner, does not extend generally parallel to the rear wall of the gun rest (68) as recited in claim 1.

For at least this reason, Applicants submit that the Agostini reference fails to teach all of the limitations included in amended claim 1. As such, Applicants request that the rejection of claim 1 be withdrawn. As claims 4 and 6-8 depend either directly or indirectly from claim 1, these claims are also not taught or suggested by the Agostini reference for at least the same reason set forth with respect to claim 1. Applicants request that the rejection of claims 4 and 6-8 be withdrawn.

Claims 4 and 5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Davis reference in view of U.S. Patent No. 6,415,932 to Fiscus et al. ("the Fiscus reference"). Applicants respectfully traverse this rejection.

As stated above, the Davis reference fails to teach or suggest a safe including at least one barrel receiving module having a clip configured to be positioned in a groove and against the wall as recited in amended claim 1. The Fiscus reference

also fails to teach or suggest the limitation that was lacking in the Davis reference.

Since claims 4 and 5 depend either directly or indirectly from claim 1, these claims are not taught or suggested by the cited references for at least the same reason set forth above with respect to claim 1. Applicants request that the rejection of claims 4 and 5 be withdrawn.

Claims 12 and 13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,042,207 to Crosby et al. ("the Crosby reference") in view of the Davis reference. Applicants respectfully traverse this rejection.

As stated above, the Davis reference fails to teach or suggest a safe including at least one barrel receiving module having a clip configured to be positioned in a groove and against the wall as recited in amended claim 1. The Crosby reference also fails to teach or suggest the limitation that was lacking in the Davis reference. Since claims 12 and 13 depend from claim 1, these claims are not taught or suggested by the cited references for at least the same reason set forth above with respect to claim 1. Applicants request that the rejection of claims 12 and 13 be withdrawn.

Claims 14 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Crosby reference in view of the Davis reference, and in further view of U.S. Patent No. 5,921,407 to Kabanek ("the Kabanek reference"). Applicants respectfully traverse this rejection.

As stated above, the Davis reference fails to teach or suggest a safe including at least one barrel receiving module having a clip configured to be positioned in a

groove and against the wall as recited in amended claim 1. The Crosby and Kabanek references also fail to teach or suggest the limitation that was lacking in the Davis reference. Since claims 14 and 15 depend either directly or indirectly from claim 1, these claims are not taught or suggested by the cited references for at least the same reason set forth above with respect to claim 1. Applicants request that the rejection of claims 14 and 15 be withdrawn.

Claim 16 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Davis reference in view of U.S. Patent No. 3,899,983 to Hernandez ("the Hernandez reference"). Applicants respectfully traverse this rejection.

As stated above, the Davis reference fails to teach or suggest a safe including at least one barrel receiving module having a clip configured to be positioned in a groove and against the wall as recited in amended claim 1. The Hernandez reference also fails to teach or suggest the limitation that was lacking in the Davis reference. Since claim 16 depends from claim 1, this claim is not taught or suggested by the cited references for at least the same reason set forth above with respect to claim 1. Applicants request that the rejection of claim 16 be withdrawn.

New claims 30-34 depend either directly or indirectly from claim 1 and include additional features of the configurable gun safe recited in claim 1.

New independent claim 35 is directed to a gun rack comprising a bracket and at least one barrel receiving module. The bracket includes a first leg coupled with a second leg, wherein the second leg is parallel to and offset from the first leg. The at least one barrel receiving module has at least one barrel receiving cradle for receiving a barrel of a gun, a rear wall, and a clip. The clip extends generally

parallel to the rear wall, wherein a gap is formed between the rear wall and the clip.

The second leg is adapted to be positioned in the gap for movably mounting the barrel receiving module to the bracket.

Claims 36-44 depend from claim 35 and include additional features of the gun rack recited in claim 35.

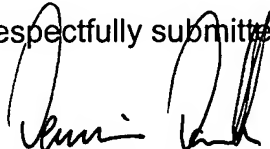
### **Conclusion**

In light of the foregoing, Applicants submit that claims 1, 4-18 and 30-44 are in condition for allowance and such allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, the undersigned may be contacted at the telephone number listed below to arrange for an issue resolving conference.

The Commissioner is hereby authorized to charge the \$100.00 fee for the two additional claims added to the present patent application, and any other fee that may have been overlooked, to Deposit Account No. 10-0223.

Respectfully submitted,

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